Senate Select Committee on School Safety Hearing on
"Sexual Orientation, Gender Identity Discrimination and School Safety"
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I want to thank Senator Kuehl for convening this hearing today and the Senate Select Committee for their commitment to school safety and civil rights of all students.

My name is Progga Choudhury and I am the Lead Victim Advocate of the L.A. Gay & Lesbian Center's Anti-Violence Project. In this role, I assist victims of homophobic, anti-transgender, and anti-HIV/AIDS related violence, threats of violence, vandalism, and harassment. I also provide education and outreach to the community about hate crime and homophobia. I have previously worked with survivors of domestic violence, hate violence, and sexual assault in San Francisco.

The advocacy and support that the L.A. Gay & Lesbian Center's Anti-Violence Project provides for victims of hate violence is mirrored in schools by the services of the Safe Haven Project, another program of the Center's Legal Services Department. This program provides bias education for students, sensitivity training for teachers, staff, and parents, and student services for those experiencing harassment or discrimination. Based on the combined experience of the Anti-Violence Project and the Safe Haven Project, I recommend today three strategies to make schools safer for all students:

- The establishment of a trained support person on campus who can confidentially counsel and assist students experiencing harassment due to actual or perceived sexual orientation.
- Bias reduction programs implemented in schools, including teacher and staff training, curricula for students, and anti-hate messages and visual aids such as posters displayed on campus.
- Intervention that takes into account both the short and long term safety of the student who has experienced harassment as well as bias reduction programs for perpetrators of harassment.

I present these recommendations based on the work of the movements to end relationship violence, sexual assault, and hate violence. The past three decades of these movements' work help shed light on 1) barriers that victims/survivors (henceforth "survivors") face in reporting, 2) ways in which survivors can be and have been re-victimized when they *do* seek help from the system designed to assist them, and 3) ways in which school officials, law enforcement, or service providers can help rather than re-victimize the survivor.

When we talk about 'abuse' in anti-violence work, our definition is broader than the criminal justice interpretation of violence. We recognize the severe and long-lasting psychological impact of emotional abuse – name-calling, put downs, controlling behavior – particularly when

there is a pattern of such abuse. When, for example, a lesbian walks down the street and someone from a passing vehicle screams out "dyke," she may feel unsafe simply being who she is, she may feel shame and self-blame, and she may come to hate herself and who she is. For youth, these effects can be even greater, particularly because this is a key age in identity formation, because of the pervasive homophobic atmosphere in schools and in the general community, and because youth are less likely to have people they can talk to about issues of orientation or harassment. Youth experiencing harassment in schools must face the perpetrator everyday, exacerbating the psychological effects of the harassment.

Because of the psychological effects of this abuse, survivors often have difficulty seeking needed assistance. Survivors of any of these forms of abuse often feel embarrassment and confusion about their situation. The survivor may rightfully fear that the violence will escalate or that they will experience retaliation if they seek help. Despite the abuse, survivors may feel that they need to protect the perpetrator – they want the abuse to *stop*, but they may not want the perpetrator to be expelled. They may also fear backlash from school mates if this in fact happens. Additionally, many survivors may be unaware that these forms of abuse and violence are unacceptable or illegal and that help exists. The perpetrator may drill in that no one will care or help the survivor.

For lesbian/gay/bisexual/transgender survivors, an additional barrier includes the fear of being 'outed' to family, friends, or media. Again, this fear is even greater for youth, who are often not given the option of confidentiality. For many students, there may be a fear that officials will be homophobic, racist, insensitive to their cultural background, or unable to speak their language.

If and when a survivor overcomes these barriers, they may experience re-victimization by the very people from whom they are seeking help. Their fears – of being outed, of not being taken seriously, of their wishes not being heard or respected – may become realities. Officials or service providers may lack education, knowledge, or sensitivity to the issue the survivor is experiencing. For example, if a student is experiencing dating violence in a same-sex relationship and the school official believes that relationship violence only occurs in heterosexual relationships or that *all* same-sex relationships are violent. Often, survivors simply want to talk to someone about their situation before taking action, but officials may not support them or respond to the needs of their situation if they choose not to make an official report, press charges, or testify. This may make the survivor feel hesitant to seek help again the next time harassment or violence occurs.

The successes of anti-violence work have been based on education and increased awareness. Help would never be accessed if potential survivors were not made aware that abuse is not socially acceptable and that help is out there. School officials and service providers must receive specialized training on these issues in order to effectively address these forms of abuse. For example, when law enforcement agencies establish units that deal specifically with domestic violence, sexual assault, or hate crime and train officers accordingly, they are much more sensitive to the dynamics of these crimes and to survivors' needs. When these units are diverse and representative of the populations they serve, including the use of bilingual officers, survivors from these communities feel safer talking to them. When officials and service providers are aware of and respect the need for confidentiality, more survivors come forward. In the recent

hate crimes that have occurred in West Hollywood, law enforcement reports indicate that 3 of 4 survivors hesitated to come forward because of fear of being outed. The Sheriff's Department's making a public statement of ensuring confidentiality, and sticking to that policy, helps survivors who otherwise would not report hate crime to come forward.

In each of these movements we have learned that the most important aspect of service provision is that services be survivor-centered: survivors, who have been disempowered through their abuse, must be re-empowered by being given options and support regardless of the option chosen. This is particularly pertinent for youth, who may feel additionally powerless within the school system.

The Safe Haven Project, a program of the L.A. Gay and Lesbian Center in 3 L.A. high schools, is one successful model for school safety I would like to highlight. Such school based programs that create a climate of safety in the school are necessary for the effective implementation of AB537. Successful intervention cannot happen without strong prevention. Reporting of incidents will not occur unless students know that it is safe to report – that their confidentiality will be protected, that intervention will occur to keep them safe, and that a sensitive person will support them and their choices.

Additionally, zero tolerance policies – those that mete out harsh punishments even for minor incidents, do not create a safe environment conducive to learning but instead a punitive one. It is important to provide meaningful opportunities for bias reduction education of offenders if we are to create truly hate free schools. As we convene here in West Hollywood, where we have seen a recent spate of brutal hate crimes against gay men, we are reminded that a disproportionate number of hate crime perpetrators are young men. What starts out as harassment can potentially have violent and lethal consequences if these attitudes and behaviors go unchallenged.

Anti-violence advocates have learned that both awareness raising in the general community and specialized training of service providers is needed if survivors are to access help, if they are to receive *appropriate* help, and if a climate is to be created in which these acts are no longer accepted. There must be people the survivor can approach who are trained, sensitive, and ideally whom they see as part of their community. Most importantly, the survivor must know that they will not once again be subject to a power dynamic that mimics the abuse they are currently facing, but that they will be accorded respect and agency through survivor-centered services.

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